

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JACK GUTTMAN, INC.,)	
)	
Plaintiff,)	Case No.: C-1-01-800 -SJD
)	Judge: Susan J. Dlott
v.)	
)	
KOPYKAKE ENTERPRISES, INC.,)	
)	
Defendant.)	

FINAL CONSENT JUDGMENT

This Civil Action, coming on to be heard upon the pleadings and proceedings heretofore had herein, and it being represented to the Court that the Plaintiff and Defendant have compromised and settled their differences with respect to the matters in dispute in this Civil Action, wherefore, upon consent of these parties acting through their attorneys, and pursuant to the terms of the parties' settlement agreement,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. This Court has jurisdiction of these parties and the subject matter hereof.
2. Plaintiff, Jack Guttman, Inc. is a corporation duly organized and existing under the laws of the State of Ohio, having a place of business at 9300 Allen Road, West Chester, Ohio 45069. Defendant Kopykake Enterprises, Inc. is a California corporation, having a place of business at 3699 W. 240th Street, Torrance, California, 90505.
3. Plaintiff is the owner of United States Letters Patent Nos. 6,319,530 and 6,582,742 B2.
4. The claims of each of the aforesaid United States Letters Patents is good and valid in law, and the patents are enforceable.

5. The Defendant, Kopykake Enterprise, Inc, has infringed one or more claims of each of the aforesaid United States Letters Patents by the sale and use of the Kwik-Kopy system as configured at the time of the commencement of this action, and consumables for use therewith, namely edible paper (including that marketed by Kopykake as Frosting Sheets) and edible inks.

6. A settlement having been agreed upon between the parties, effective June 18, 2004, Plaintiff's Amended Complaint is dismissed with prejudice and Defendant's counterclaims are dismissed with prejudice, this Court retaining jurisdiction to enforce the settlement.

7. Each party to bear its own costs and attorneys fees.

/s/Susan_J._Dlott_____
United States District Judge

Approved as to form and substance:

/s/ Theodore R. Remaklus
Theodore R. Remaklus (0061557)
WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
Telephone: (513) 241-2324
Facsimile: (513) 421-7269

Attorney for Plaintiff
Jack Guttman, Inc.

/s/ Luke L. Dauchot
Luke L. Dauchot
KIRKLAND & ELLIS, LLP
777 S. Figueroa Street
Los Angeles, California 90017
Telephone: (213) 680-8400
Facsimile: (213) 680-8500

Attorney for Defendant
Kopykake Enterprises, Inc.